

Community Preservation Act Committee (CPAC)
Meeting Minutes
Thursday, January 9, 2014 19, 2013

Agenda items to be discussed:

- Review proposals submitted for funding and compile follow up questions
- Review updated financial status and available CPA budget for FY2015
- Review revised draft letter to send to organizations reminding them to give CPAC an update
- Set agenda for next meeting
- Approve any minutes
- Topics the Chair did not reasonably anticipate 48 hours before the meeting

The meeting was called to order at 7:08 pm by Mary Streeter, Vice Chair, in the Community Room at the Police Department

COMMITTEE MEMBERS IN ATTENDANCE:

Sandy Anderson, Marilyn Blaustein, Paris Boice, Jim Brissette, Ellen Kosmer, Jim Oldham, Mary Streeter

COMMITTEE MEMBERS ABSENT: Peter Jessop, Chair, Diana Stein, Select Board Liaison

STAFF IN ATTENDANCE:

Sonia Aldrich, Comptroller, and CPAC Staff Liaison; David Ziomek, Assistant Town Manager and Conservation and Planning Director

OTHERS IN ATTENDANCE:

Maurianne Adams- Amherst Community Land Trust
Janet Keller

Jim Oldham reported that the liaison from the Historical Commission has been appointed and will be sworn in.

Review proposals submitted for funding and compile follow up questions

1. Coalition of Amherst Neighborhoods/Amherst Community Land Trust
Streeter asked Adams if the ACLT would be ready to be presented. Adams said they would be there for both meetings and provide an update.
 - If ACLT had until the Feb. 6 presentation night or Feb. 20 public hearing, would they want to put the proposal forward at this time?
 - What kinds of help/assistance are they receiving from Town staff and committees to move this project forward?
 - What additional fund-raising is being done?
- Anderson asked if there were a precedent for setting funds aside prior to Town Meeting. Funds have been set aside previously but not earmarked for a particular project. Oldham reported that TM voted to set aside a budgeted reserve for \$200,000 in the spring for future use in the fall, but it was not for a specific purpose. Tax rate not set until after TM so it does not have to be done in the spring. Aldrich recommended that if it were done it should be in the fall.
- Brissette asked if there were 2 houses being considered but it would require a meeting with the Amherst Housing Authority on the 2nd. Concerned that there was no due diligence on

houses in all precincts. Do not want it to be perceived as having a specific use without the entire town being involved. Adams said that they need to have broader and more inclusive process and need long term plan.

- What additional fund raising/grants are being done. Looking at private fundraising and stakeholders. Adams said the group is backing up because this is a big project.
- What are precise amounts of funds being raised?
- How do community land trusts work in other communities? What is the difference between a Community Land Trust and a Municipal Land Trust? Oldham volunteered to report back to the committee information on differences between community and municipal trusts
- Is there any movement on municipal land trusts—Ziomek said there may be a proposal
- What kind of help and assistance is being received from the Town?

2. Pioneer Valley Habitat for Humanity

- Sketches and footprint of housing units requested
- What is the status of the RFP for the land? What conditions did the Town put on Habitat?
- Are two units the maximum number on the site?
- What restrictions would the Town and Habitat place on the homes? Please provide the details of the deed restriction and the resale formula used to keep the affordability preserved in perpetuity.
- What would home owners pay for the property?

3. Amherst Conservation Commission- Saul Property

- How can properties be appraised at value higher than assessed value? This property is a fraction of appraised value. Why is there such a large discrepancy between the appraised and assessed values?

Ziomek said they have developed an FAQ based on questions posed at TM. He will bring FAQ in advance of the meeting on January 23.

- What additional funds are being sought or likely to be granted?
- Could we consider bonding for this project? What would annual cost be?
- Were any funds from “due diligence” account used? Please explain.
- Will installation of footbridge from Fort River athletic field still be part of this project?

4. Amherst Conservation Commission- Appraisals and Surveys and miscellaneous legal costs \$25,000

Ziomek said they are almost out of due diligence funds. Ziomek will provide an update of costs. Hope is that this is a 2-year figure. Appraisals need to be done by independent 3rd party.

Total of \$65,000 being requested. \$40,000 requested for conservation restrictions—

- How are stewardship costs calculated to determine the price Amherst will pay Kestrel Trust for holding the CRs?? (per acre—Ziomek will outline for the committee)
- How will \$40,000 cover other conservation restrictions?
- Will these funds cover all costs for conservation restrictions?(Paris)
- Will due diligence be folded into costs for future projects? If so, how will they be used? Need to go back to 2003 for conservation restrictions. Ziomek will update committee on properties requiring conservation restrictions

5. Town of Amherst- Echo Village and/or Rolling Green

- How many units and at what level of affordability are anticipated if funded?
- How many units will be countable as affordable in Rolling Green? Some contradiction in numbers of countable units.
- Would all 24 units in Echo Village be countable?
- Is the assessed value (\$9 million) for Rolling Green for all 204 units or for just the units that would be countable?
- Unclear what proposal is saying is at the risk of being lost. What’s the range of outcomes expected?
Sonia has provided information on bonding (10 versus 20 years) with this proposal. Uncertainty about the timing—
- Will there be a clearer picture in time for Town Meeting or will recommendation be based on future negotiation? Finance director and Town Management decide about 10 vs. 20 year bonding, but CPAC can make a recommendation.

- Will there be more movement – will amount change before TM?
- Ziomek said it is not expected to go higher and that the project is similar to Olympia Oaks. The two complexes are worth more than assessed value. Could be more than \$15 million. \$750,000 is a fairly small amount of money.

Important to show local commitment although partners know it's a small amount of money.

Ziomek clarified that Rolling Green has 204 total units; 41 are affordable. However, the Town was able to count 204 units on affordable housing inventory 20 years ago.

Echo Village—none of 24 units have been included on affordable housing inventory; at one time there were 19 units with Section 8 voucher holders. Presently only 8.

- How many units will be affordable? Goal is to preserve 65 units. According to Ziomek that is the minimal goal. What is the reasonable mix of affordable and market rate units?
- Will these be permanently protected?

Yes, absolutely. Expiring use restrictions are creating havoc all over the state.

Ziomek said CPAC may be able to use executive session and recommend that Sonia set this up for the meeting on the 23rd. He does not want to be in awkward position of discussing project and funding and town's interest in acquiring the land in a public session. Committee agreed to have an executive session on that date. Unclear if entire presentation would be in executive session.

Ziomek will consult with town counsel and Aldrich. CPAC will get info on how executive session is done. Brissette asked what happens with Executive Session. Information remains confidential. There will be minutes but they will not be released.

Schedule of Presentations:

January 23

Due Diligence and deed restrictions

Saul Property

Groff Park

Sweetser Park Fountain

Echo Village/Rolling Green

February 6

Habitat

Amherst Community Trust

Amherst Historical Commission

Housing and Sheltering Committee

Normally hearings are 15 minutes for each proposal; some will require less time; others will need more time. Times are estimates.

Responses in writing are requested if possible

6. Amherst Historical Commission- 332 West St.
 - Cost estimate drawn from North Amherst Community Farm. Need more clarity on the cost.
 - Reference that barn may be used by Grow Food Amherst, but not clear about ultimate use and benefit to the Town. Is there social good coming from restoration of the barn.
 - Explain how NACF study was used to get this cost estimate

Explain better who will own and use the barn in the future—this is presently a privately owned barn

- Would the \$70,000 actually be enough to do a satisfactory restoration? Barn seems to be in very poor condition from external view.
- Would be helpful to see more public access delineated – seems vague and non-committal at this point.
- Please provide detailed estimates of costs and who would do the work.
- Does the Historical Commission have any other potential projects coming up that we may want to set aside funds for?
- Are the owners willing/able to wait until the Outbuilding Study is done? What priority would this building be?
- Why should public money be used to “cleanout” a privately owned barn?
- Question about ownership of barn. Need clarity on deed restriction. Barn surrounded by two

acres of conservation land donated to the town.

- Important to know about public access beyond the view scape. At large members need to represent the public interest
- Would the owners' insurance company be satisfied with the work the \$70,000 could accomplish?
- Would the barn be maintained in perpetuity so it doesn't fall into such disrepair in the future?

7. Amherst Housing and Sheltering Committee- HUD Housing Choice Voucher Program (Request does not come from the Housing Authority. Housing Authority cannot solicit funding but can accept funding)

- Are these funds still necessary in light of changes in sequestration? How much? If so, why and specifically what will the funds be used for?
- Will Housing Authority draw down reserves to cover this gap? HA also has OPEB obligations. Need to know that other resources are being tapped. According to request the need for additional funds in the future is unknown. Is there more clarity on timeline?
- Is this likely to be an annual expense?
- Can other funds be used?
- Could we see a detailed budget?
- Would funds be better spent on vouchers or affordable housing which is more permanent solution?
- Should there be a philosophical discussion on March 6 if there's an interest in a long term plan? May not be sufficient time given deadlines.
- How will committees prioritize this and other projects?
- Housing and Sheltering Committee will rank proposals (CPAC) is not bound by rankings.

8. Amherst DPW- Groff Park Wading Pool Chlorinator. \$4,000

- Why CPA money? Why can't funds come from operating budget, JCPC or other sources?
- Is this an operating or capital expense? DPW has to maintain facilities LSSE provides for recreation. Presently gap in funds available for after school programs. DPW does work for LSSE and LSSE budget pays for chlorinator. Using other funding mechanism frees up funds for free and reduced lunch.
- Why is request coming from DPW and not LSSE (DPW function to maintain parks, etc.)? Should there be LSSE representation at the meeting?

Need equipment because of changes in health code.

Wading pool at War Memorial not opened last year and will not be opened in 2014. Significant costs to bring up to code.

- Is this the real purpose to which CPA funds are intended or is this a maintenance issue.

Needs to be part of philosophic discussion among CPAC about appropriate use of CPA funds. How do you balance operating and capital budgets?

Also need to consider that town is at 1½% for CPA funding. May want to increase to 3%. Oldham suggested that meeting with Stuart Saginaw be extended to general public. Is it a public meeting or a training session? Meeting should be posted.

9. Amherst DPW-Sweetser Park Fountain.

- How long has it been since previous restoration and why is it needed so soon?
- Has cost of repair gone up in addition to donation of \$20,000 from Rotary for maintenance and repair?
- Need more information on history of fountain and prior repairs and expenditures in the past decades. Why historic and recreation (recreation falls under open space). What is historical commission's position? What is the priority? Is recreation a mistake?

Fountain will be repaired in spring but is concerned about structural issues

- Is \$15,000 the actual cost? How was this arrived at? Need more detail on the estimate.

CPAC needs to consider how much money should be spent on studies versus repairs in future philosophical discussion.

Review updated financial status and available CPA budget for FY2015. No changes except for returned appropriation~\$10,000 from reimbursement grant from the Historical Commission in the past month.

Ziomek reminded to update the list he provided to the committee at the prior meeting.

Discussed advantages and disadvantages of bonding over 20 versus 10 year period for Echo Hill/Rolling Green. Interest amount is incorrect. Total principal is \$750,000 and interest is ~\$300,000.

Ziomek said the \$15,000 allocated to Echo Village has not been draw down of funds because the Cherewattis paid for relocation costs for tenants who moved out. In recent weeks requests have come in from Family Outreach which will be reimbursed for costs. Remaining tenants in Echo Village are in legal proceedings with owners. Probably makes sense to keep funds there so they will be available for relocation costs for tenants. If there's a fund balance, CPAC can decide what should be done.

Draft letter to CPA Funds Recipients.

The committee discussed whether we still need to send out a letter to recipients since Dave Ziomek updated the committee on many projects at last meeting? Would be helpful to send to outstanding projects. Good to know if funds will be returned. Would also be helpful to know how funds were spent. Streeter said it should be done for every project. However, this would consume significant amount of staff time. Committee agreed that it could be limited to those recipients for which we have not received updates. The committee identified several projects where additional information is requested. Is this intended as a status report or is the interest in funds that will returned?

Mary will email the list to Dave Ziomek and give to Nate for historical commission. Need to develop a process for future years. Purpose is to prevent future backlogs.

MOTION:

Boice moved to accept Streeter's draft letter to CPA recipients. 6-1-0 that Mary send out the letter

A motion was made by Paris, Seconded by Marilyn Blaustein to adjourn at 9:34 pm.

Blaustein moved to accept the minutes of 12/19/13. 4-0-3

Boice moved to adjourn; voted 7-0.

Meeting adjourned at 9:34 p.m.

NEXT MEETINGS:

Future meetings: All future meetings will be held in the Community Room at the Police Department at 7pm.

January 9th, 2014

DOCUMENTS DISTRIBUTED

- Financial Status for CPA Funds
- Spreadsheet of CPA Balances as of November 14, 2013
- Draft letters (2) to send to organizations reminding them to give CPAC an update
- January 6 letter and January 8 email from Maurianne Adams on behalf of the Coalition for Amherst Neighborhoods to Sonia Aldrich and CPAC regarding Amherst Community Land Trust (ACLT) proposal
- Draft meeting minutes 12/19/13

Future meetings: All future meetings will be in the Community Room, at the police department from 7 pm to 9 pm unless otherwise indicated below:

- January 23, 2014
- February 6, 2014
- February 20, 2014 public hearing
- March 6, 2014

Submitted by Marilyn Blaustein

Approved January 23, 2014